

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: CONTROL FOR EVAPORATIVE COOLING APPARATUS the specification of which:

(check one) xx is attached hereto. xx was filed on September 8, 2003 as

Application Serial No. 10/658,436 and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed:

Prior Foreign Application(s)

			Priority Claimed	
			Yes	No
<u>N/A</u>				
(Number)	(Country)	Day/month/year filed		
<u>N/A</u>				
(Number)	(Country)	Day/month/year filed		
<u>N/A</u>				
(Number)	(Country)	Day/month/year filed		

I hereby certify that this correspondence is being deposited with the United States Postal Service as:

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RETURN RECEIPT REQUESTED in an envelope addressed to:

COMMISSIONER OF PATENTS, P.O. Box 1450

Alexandria, VA. 22313-1450 on: December 10/03

[Signature] 12-10-03

TOD R. NISSELE, Reg. No. 29,241

DATE

1 I hereby claim the benefit under Title 35, United States Codes §120 of any United States application(s)
2 listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior
3 United States application in the manner provided by the first paragraph of Title 35, United States Code §112,
4 I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations
5 §156(a) which occurred between the filing date of the prior application and the national or PCT international
6 filing of this application:

09/997,517	11/29/2001	PENDING
(Application Serial No)	(Filing Date)	(Status) (patented, pending, abandoned)

N/A		
(Application Serial No)	(Filing Date)	(Status) (patented, pending, abandoned)

11 I hereby declare that all statements made herein of my own knowledge are true and that all statements
12 made on information and belief are believed to be true; and further that these statements were made with the
13 knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,
14 under § 1001 of the United States Code and that such willful false statements may jeopardize the validity of the
15 application or any patent issued thereon.

16 And I hereby appoint:

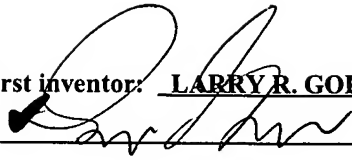
17 Tod R. Nissle, Esq. Reg. No. 29,241
18 TOD R. NISSLE, P.C.
19 P.O. Box 55630
20 Phoenix, Arizona 85078

21 Tel: (602) 494-8700
22 Fax: (602) 494-8707
23 Email: nissle@nissle.com

24 my attorney and with full power of substitution and revocation, to prosecute this application and to transact all
25 business in the United States Patent and Trademark Office connected therewith.

26 Wherefor I pray that Letters Patent be granted to me for the invention or discovery described and
27 claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification
28 and claims, declaration, power of attorney, this petition.

1 Full name of sole or first inventor: LARRY R. GORDON

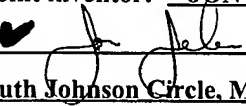
2 Inventor's signature:  Date: 9/23/03

3 Residence: 19631 East Camina Plata, Queen Creek, Arizona 85242

4 Citizenship: UNITED STATES OF AMERICA

5 Post Office Address: Same

6 Full name of second joint inventor: JON E. JELEN

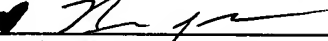
7 Inventor's signature:  Date: 9/23/03

8 Residence: 2215 South Johnson Circle, Mesa, Arizona 85202

9 Citizenship: UNITED STATES OF AMERICA

10 Post Office Address: Same

11 Full name of second joint inventor: BRIAN J. LEE

12 Inventor's signature:  Date: 9-23-03

13 Residence: 2685 South Ponderosa Drive, Gilbert, Arizona 85297

14 Citizenship: UNITED STATES OF AMERICA

15 Post Office Address: Same

16 (Supply similar information and signature for fourth and subsequent joint inventors)

17
18 Attorneys Docket No.: 632-P-3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant : LARRY R. GORDON
JON E. JELEN
BRIAN J. LEE**

Serial No. : 10/658,436

Filed : September 8, 2003

**For : CONTROL FOR EVAPORATIVE
COOLING APPARATUS**

**DECLARATION VERIFYING SMALL ENTITY STATUS
UNDER 27 C.F.R. 19(f) AND 1.27(b)**

Asst. Commissioner of
Patents and Trademarks,
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As a named inventor, I hereby that I qualify as an independent inventor as defined in 37 C.F.R. 1.9 (c) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above-identified patent.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights the invention to any person who could not be classified as an independent inventor under 27 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9 (e). Any person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is identified below:

I hereby certify that this correspondence is being
deposited with the United States Postal Service as:

Certified Mail No. 700 3 0500 0001 5322 050 9

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[Signature] 12-10-03

TOD R. NISSELE, Reg. No. 29,241

DATE

1 Full Name: N/A

2 Address: _____

3 _____

4 ☐ Individual ☐ Small Business ☐ Non profit Organization

5

6

7 Full Name: N/A

8 Address: _____

9 _____

10 ☐ Individual ☐ Small Business ☐ Non profit Organization

11

12 I acknowledge the duty to file, in this patent, notification of any change in status resulting in loss
13 of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any
14 maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 C.F.R. 1.28(b)]

15

16 I hereby declare that all statements herein of my own knowledge are true and that all statements
17 made on information and belief are believed to be true; and further that these statements were made with the
18 knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or b th,
19 under §1001 to Title 18 of the United States Code, and that such willful false statement may jeopardize the
20 validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

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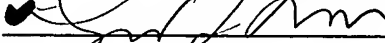
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Full name of sole r first inventor: LARRY R. GORDON

Inventor's signature:  Date: 9/23/03

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Post Office Address: Same

Full name of second joint inventor: JON E. JELEN

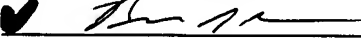
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